

By ECF

May 18, 2020

The Honorable Douglas P. Woodlock
United States District Court
District of Massachusetts
One Courthouse Way
Boston, MA 02210

Re: *United States v. Murakami* (17-cr-10346-DPW)

Dear Judge Woodlock,

Prior to the hearing on Defendant Yasuna Murakami's Motion for Compassionate Release on May 13, 2020, counsel for the government sent the Court a copy of a letter dated April 17, 2020, in which the warden of MDC Brooklyn purported to notify me and Mr. Murakami that he had denied Mr. Murakami's request for compassionate release. The Court entered this letter as an exhibit to the hearing. (*See* ECF No. 71). During the hearing, I informed the Court that I had not received the letter.

I write to inform the Court that I received the attached letter by mail today. The envelope, attached hereto, indicates that the Bureau of Prisons mailed the letter on May 14, 2020—the day after the hearing. Notwithstanding the late mailing of the warden's letter, the defendant agrees with the government that the Court is authorized to grant Mr. Murakami compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A) because more than 30 days has elapsed since the warden received Mr. Murakami's request for compassionate release.

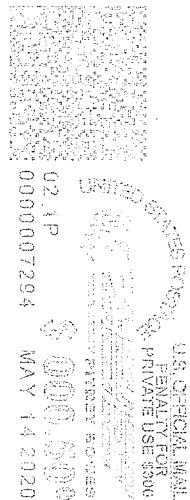
Very truly yours,



Seth B. Orkand

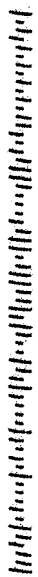
cc: AUSA Jordi De Llano (*by ECF*)

U.S. Department of Justice
Federal Bureau Of Prisons
ADOC Brooklyn
80 29th Street
Brooklyn, NY 11232
Official Business



Seth B. Orkand, Esq.
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470 Atlantic Avenue, 4th Floor
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02210-224104





U.S. Department of Justice
Federal Bureau of Prisons

Metropolitan Detention Center
Office of the Warden
80 29th Street
Brooklyn, New York 11232

April 17, 2020

Seth B. Orkand, Esq.
Miner Orkand Siddall LLP
470 Atlantic Avenue, 4th Floor
Boston, MA 02210

Re: Murakami, Yasuna J
Reg. No. 11918-082

Dear Mr. Orkand:

This is in response to your letter dated April 2, 2020, in regards to Yasuna J Murakami, Reg. No. 11918-082, an inmate currently confined at the Metropolitan Detention Center, Brooklyn, New York. You request, on behalf of Mr. Murakami, that he be considered for a reduction in sentence or compassionate release pursuant to 18 U.S.C. §3582 and Bureau of Prisons Program Statement 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§3582(c)(1)(A) and 4205(g), based on his current medical condition.

Federal Bureau of Prisons policy sets forth the medical and non-medical criteria the Federal Bureau of Prisons considers when determining an inmate's eligibility for a reduction in sentence. All RIS requests are assessed using the factors outlined in Section 7, which include the nature and circumstances of the inmate's offense, criminal history, institutional adjustment, inmate's age at the time of offense and sentencing, and whether release would minimize the severity of the offense.

Mr. Murakami is a holdover inmate with a projected release date of August 03, 2023, via Good Conduct Time Release. Program Statement 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§3582(c)(1)(A) and 4205(g), indicates your client does not meet any of the criteria established in this program statement. A review of his medical records does not identify any significant changes to his medical conditions to reflect a terminal or debilitated medical condition, as set forth in Program Statement 5050.50. You have not provided any additional evidence or information in support of the request. Accordingly, the request for a reduction in sentence is denied at this time.

I trust this has addressed your concerns.

Sincerely,


D. Edge
Warden

Cc: Murakami, Yasuna J
Reg. No. 11918-082